

REMARKS

The Office Action objected to the Specification because of informalities on page 4, line 23-page 5, line 1, wherein the specification is inconsistent with the appearance of Fig.1. As such, by this amendment, Applicant has amended the Specification as indicated by strikethrough and underlining.

Further in the initial Office Action, Claims 1-6, 12 and 14 were rejected under 35 U.S.C. Section 102(e) as being anticipated by U.S. Patent No. 6,600,625 to Munninghoff et al. Claims 1-3, 5, 11, 15 and 16 were rejected under 35 U.S.C. Section 102(e) as being anticipated by U.S. Patent Publication No. 2002/0063991 to Machcha et al. Claims 7-10 and 13 were objected to as being dependent upon a rejected base claim, but were indicated as being allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In view of the Examiner's indications of allowability, by this Amendment, Applicant has amended Claim 1 to include the limitations of dependent Claim 7. Further, Applicant has added new independent Claim 17 which corresponds to the subject matter of originally filed Claims 1 and 9, and has added dependent Claims 18-31 which correspond to originally filed Claims 2-8 and 10-16. Similarly, Applicant has added new independent Claim 32 which corresponds to the subject matter of originally filed Claims 1, 12 and 13, and has added dependent Claims 33-45 which correspond to originally filed Claims 2-11 and 15-16.

As mentioned above, the Office Action relies upon U.S. Patent No. 6,600,625 to Munninghoff et al. to reject Claims 6 that recites the concept that the leading side of the airflow suppressor portion is aligned generally tangential with the inner disk edge. The

cited Munninghoff et al. reference issued on July 29, 2003 and has an effective filing dated of November 1, 2001.

Pursuant to 37 C.F.R. §1.131, any claim of an application rejected under Section 103 based upon a printed publication, the inventor of the subject matter of the rejected claim may submit an appropriate declaration to overcome the publication. As such, concurrently submitted herewith is a Declaration Under 37 C.F.R. §1.131 by Applicant, Raffi Codilian. The Declaration includes an Exhibit A which is a copy of a page from Mr. Codilian's inventor's note book, page 121. Such page is signed by Mr. Codilian and dated August 29, 2001 (prior to the effective date of the cited Munninghoff et al. reference). The page depicts a plan view of the disk drive with a generally triangular "wind breaker" upstream of a head stack assembly. Further depicted is a leading side of such "wind breaker" being aligned generally tangential with an inner disk edge. By this Amendment, Applicant has added new independent Claim 45 which corresponds to the limitations associated with originally filed Claims 1, 2, and 6. In view of the Declaration, Applicant respectfully submits that the Munninghoff et al. reference has been overcome. As such, Applicant respectfully submits that newly added independent Claim 45 is in a condition for allowance.

On the basis of the foregoing, Applicant therefore submits that each basis for rejection has been fully addressed, and therefore the Application is in condition for allowance.

Applicant acknowledges receipt of the prior art made of record and not relied upon, but considered by the Office Action to be pertinent to Applicant's disclosure. It is

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Response to Office Action of 04/26/2004

Applicant's belief that the cited art, either alone or in combination, does not anticipate, suggest, or make obvious the instantly claimed invention.

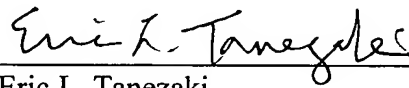
Should the Examiner have any suggestions for expediting allowance of the application, the Examiner is invited to contact Applicant's representative at the telephone number listed below. Should any additional fees be due please charge Deposit Account No. 19-4330.

Respectfully submitted,

STETINA BRUNDA GARRED & BRUCKER

Customer No.: 007663

By:



Eric L. Tanezaki

Registration No. 40,196

75 Enterprise, Suite 250

Aliso Viejo, California 92656

(949) 855-1246

Fax: (949) 855-6371